

JACKIE F. CURRY)
)
 Petitioner,)
)
 v.) No. 3:06-cv-255
) *Jarvis*
 HOWARD CARLTON, Warden)
)
 Respondent.)

In accordance with the accompanying Memorandum, the petition for the writ of habeas corpus is **DENIED** as time-barred and this action is **DISMISSED**. Should the petitioner give timely notice of an appeal from this decision, such notice will be treated as an application for a certificate of appealability, which under the circumstances is hereby **DENIED**. The court further **DENIES** the petitioner leave to proceed *in forma pauperis* on appeal.

s/ James H. Jarvis
United States District Judge

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